

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

JOSEPH CLARK

CIVIL ACTION NO. 6:18-CV-00058

VERSUS

JUDGE TERRY A. DOUGHTY

**LAFAYETTE POLICE DEPARTMENT, MAG. JUDGE CAROL B. WHITEHURST
ET AL.**

J U D G M E N T

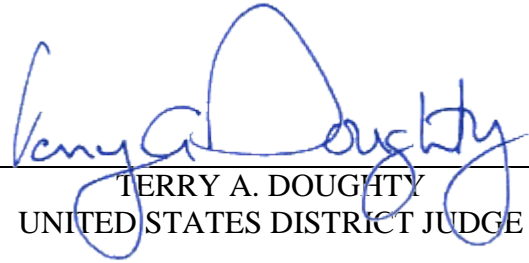
The Report and Recommendation of the Magistrate Judge [Doc. No. 19] having been considered, and after a *de novo* review of the entire record in this matter, including Plaintiff's objections [Doc. No. 20], and finding that the Magistrate Judge's findings are correct under the law and the record,

IT IS ORDERED, ADJUDGED, AND DECREED that the unopposed Motion to Dismiss Penalty, Punitive, or Exemplary Damages [Doc. No. 7] is **GRANTED**, and Plaintiff's claims for punitive damages are **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Motion to Dismiss For Failure to State a Claim Upon Which Relief Can Be Granted filed by Defendants Chief Toby Aguillard, individually and in his official capacity as chief of police of Lafayette City-Parish Consolidated Government ("LCG"), Officer Nick Bayard, individually and in his official capacity as a police officer for LCG, and Corporal Chris Cormier, individually and in his official capacity as a police officer for LCG [Doc. No. 5] is **GRANTED**, and Plaintiff's claims under 42 U.S.C. § 1983, as well as his state law claims are **DISMISSED WITH PREJUDICE**

as either barred under *Heck v. Humphrey* and/or prescribed and/or for failure to state a claim pursuant to Rule 12(b)(6).

MONROE, LOUISIANA, this 25th day of July, 2018.



TERRY A. DOUGHTY
UNITED STATES DISTRICT JUDGE